

REPORT OF: City Traffic Engineer

Presented September 2, 2008

For Approving Plans and Specifications and
Assessing Improvement Cost for The Installation
of Street Lights in

Eighth Addn to Blackhawk Phase 4

Filed in the Office of the City Traffic Engineer
August 1, 2008

Referred

Reported Back

Adopt

Rules Suspended

Re-Referred

Placed on File

I.D. NUMBER

Filed in the City Clerks Office:

Date Council Action Required: September 2, 2008

TO THE MAYOR AND COMMON COUNCIL:

The Common Council having ordained that the full cost, including inspection and supervision, of the initial installation of street lights shall be assessed to the abutting properties and that assessment for street lights shall be in accordance with Section 66.0701 of the Wisconsin Statutes and Section 10.39 of the Madison General Ordinances, has directed that when the City Traffic Engineer proposes the installation of street lights assessed to the abutting properties, he shall prepare a report listing the street lights to be installed, their location and schedule of assessments.

Now, therefore, in compliance with said instruction, the City Traffic Engineer reports as follows:

1. That street lights are proposed to be installed and assessed to abutting properties listed on Exhibits A and B attached hereto, said listing including the locations of street lights to be installed, and a schedule of assessments.
2. That pursuant to such listing, the entire cost of the work improvement will be **\$ 4922.40**
3. After having carefully viewed and examined the entire territory and the said several parcels of land or real estate affected by said improvement, and having first viewed, examined and considered severally and separately each parcel of real estate in said territory, the City Traffic Engineer has found and determined and do hereby so find and determine that the City of Madison should pay the sum of **\$ -0-** as the cost properly chargeable to the City and covered by said improvement.

NOTE: Special assessment notices and hearings have been waived.
(See attached signed waivers)

DATED: August 1, 2008

David C. Dyer, P.E.
City Traffic Engineer

REGARDING THE CRITERIA OF REASONABLENESS AND BENEFIT

This report was prepared and submitted to satisfy the requirements that the City is required to show that the assessments will benefit the properties assessed in the **Eighth Addn to Blackhawk Phase 4** Assessment District as per a recent Wisconsin State Supreme Court Decision (*Berkvam vs. The City of Glendale*, 79 Wis, 2d 279.255 NW 251 (1979)).

Criteria of Reasonableness

It is the opinion of this office that the assessments are, in fact, reasonable. The assessments have been calculated in accordance with the Madison General Ordinances Section 4.09 for assessing costs for street improvements. The cost of the improvements have been assessed to the various parcels based on lot size and zoning.

The Properties Against which the Assessments are proposed are Benefited as follows:

This improvement consists of the installation of street lights, which will promote and enhance the general welfare and safety of people and property in this neighborhood.

DECLARATION OF CONDITIONS AND COVENANTS
FOR THE DEVELOPMENT/PLAT OF
Eighth Addition to Blackhawk Subdivision

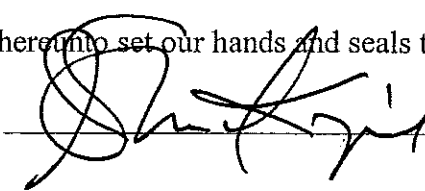
000584

City of Madison, Dane County, Wisconsin

WHEREAS, Mckenzie 300 Corp
owner of the Development/Plat known as eighth addition to Blackhawk Subdivision recorded
in Volume _____ of Plats on page(s) _____, in the Dane County Register of Deeds
Office, will be benefited through the installation by the City of Madison of street trees and street lighting
within the public right-of-way for all lots included in said plat.

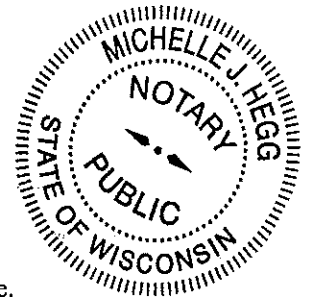
NOW THEREFORE, the undersigned owner, hereby declares and provides that all lots in said plat
in the City of Madison are subject to conditions and covenants as follows:

1. That the owner concurs with the City of Madison's policy to promote and enhance the beauty and
general welfare of the City through the planting and maintenance of street trees or shrubs and
installation and maintenance of street lights, within the public right-of-way, adjacent to the
owner's property.
2. That the owner acknowledges that it is the City of Madison's policy to assess the full cost,
including inspection and supervision, of the initial installation of street trees and street lights.
3. That the owner, his/her heirs, successors and assigns, waives notice and hearing to the assessment
for street trees and street lights in accordance with Section 66.0703(7)(b), Wisconsin Statutes;
Section 66.0701, Wisconsin Statutes; Paragraph (11), Section 10.10; and Paragraph (10), Section
10.39, Madison General Ordinances.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 12th
day of July, 2006.


State of Wisconsin)
County of Dane)ss

Personally came before me this 12 day of July, 2006.
The above named John McKenzie
to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.



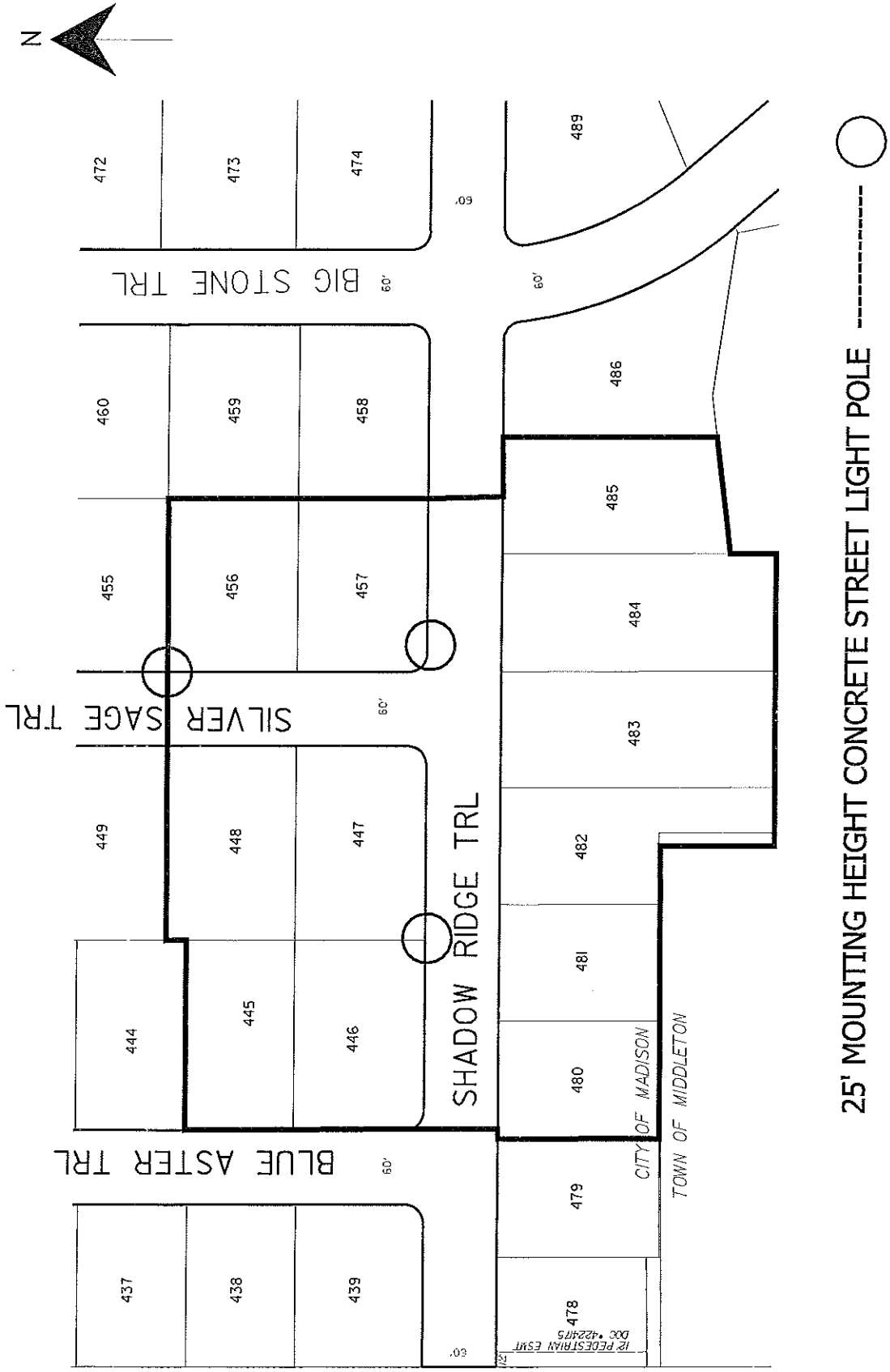
Michelle Hegg
Notary Public, Dane County, Wisconsin
My Commission Expires 8-26-07

Return to: City Traffic Engineering Division
Suite 100, Madison Municipal Building
215 Martin Luther King Jr. Blvd,
PO Box 2986, Madison, WI 53701-2986

EXHIBIT A
8th Addition to Blackhawk Phases 4
SCHEDULE OF ASSESSMENTS

<u>Parcel Number</u>	<u>Owners Names</u>	<u>Owner Address</u>	<u>City State Zip</u>	<u>Situs Address</u>	<u>Lot</u>	<u>Unit Parcel</u>	<u>Factor</u>	<u>Factored Parcels</u>	<u>Cost per Unit Parcel</u>	<u>Assessment</u>
0708-163-1907-8	MCKENZIE 300 CORP	9201 WATERSIDE ST	MIDDLETON, WI 53562	805 Blue Aster Trl	445	1	1	1	410.20	\$410.20
0708-163-1908-6	MCKENZIE 300 CORP	9201 WATERSIDE ST	MIDDLETON, WI 53562	801 Blue Aster Trl	446	1	1	1	410.20	\$410.20
0708-163-1909-4	MCKENZIE 300 CORP	9201 WATERSIDE ST	MIDDLETON, WI 53562	802 Silver Sage Trl	447	1	1	1	410.20	\$410.20
0708-163-1910-1	MCKENZIE 300 CORP	9201 WATERSIDE ST	MIDDLETON, WI 53562	806 Silver Sage Trl	448	1	1	1	410.20	\$410.20
0708-163-2006-7	MCKENZIE 300 CORP	9201 WATERSIDE ST	MIDDLETON, WI 53562	805 Silver Sage Trl	456	1	1	1	410.20	\$410.20
0708-163-2007-5	MCKENZIE 300 CORP	9201 WATERSIDE ST	MIDDLETON, WI 53562	801 Silver Sage Trl	457	1	1	1	410.20	\$410.20
0708-163-2303-7	MCKENZIE 300 CORP	9201 WATERSIDE ST	MIDDLETON, WI 53562	10009 Shadow Ridge Trl	480	1	1	1	410.20	\$410.20
0708-163-2304-5	MCKENZIE 300 CORP	9201 WATERSIDE ST	MIDDLETON, WI 53562	10005 Shadow Ridge Trl	481	1	1	1	410.20	\$410.20
0708-163-2305-3	MCKENZIE 300 CORP	9201 WATERSIDE ST	MIDDLETON, WI 53562	10001 Shadow Ridge Trl	482	1	1	1	410.20	\$410.20
0708-163-2306-1	MCKENZIE 300 CORP	9201 WATERSIDE ST	MIDDLETON, WI 53562	9913 Shadow Ridge Trl	483	1	1	1	410.20	\$410.20
0708-163-2307-9	MCKENZIE 300 CORP	9201 WATERSIDE ST	MIDDLETON, WI 53562	9909 Shadow Ridge Trl	484	1	1	1	410.20	\$410.20
0708-163-2308-7	MCKENZIE 300 CORP	9201 WATERSIDE ST	MIDDLETON, WI 53562	9905 Shadow Ridge Trl	485	1	1	1	410.20	\$410.20
12										
\$4,922.40										

EXHIBIT "B"
**EIGHT ADDITION TO BLACKHAWK
 PHASE 4**



12' PEDESTRIAN ESMT
 DOC #422415